**City of Seattle**

**Department of Planning and Development**
D. M. Sugimura, Director

**CITY OF SEATTLE**
**ANALYSIS AND DECISION OF THE DIRECTOR OF**
**THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number**: 3013985

**Applicant Name**: Jennifer Cohee of Hewitt Architects, for Barrientos LLC

**Address of Proposal**: 127 Broadway E

**SUMMARY OF PROPOSAL**

Land Use Application to add three stories to existing building to total six stories and allow 24 residential units with 3,328 sq. ft. of retail at ground floor. Parking for 12 vehicles will be located at and below grade.

The following approvals are required:

**Design Review** – Chapter 23.41 Seattle Municipal Code.

Development Standard Departure to exceed the maximum driveway ramp slope. (SMC 23.54.030.D.3)

**SEPA** – Environmental Determination – Chapter 25.05 Seattle Municipal Code.

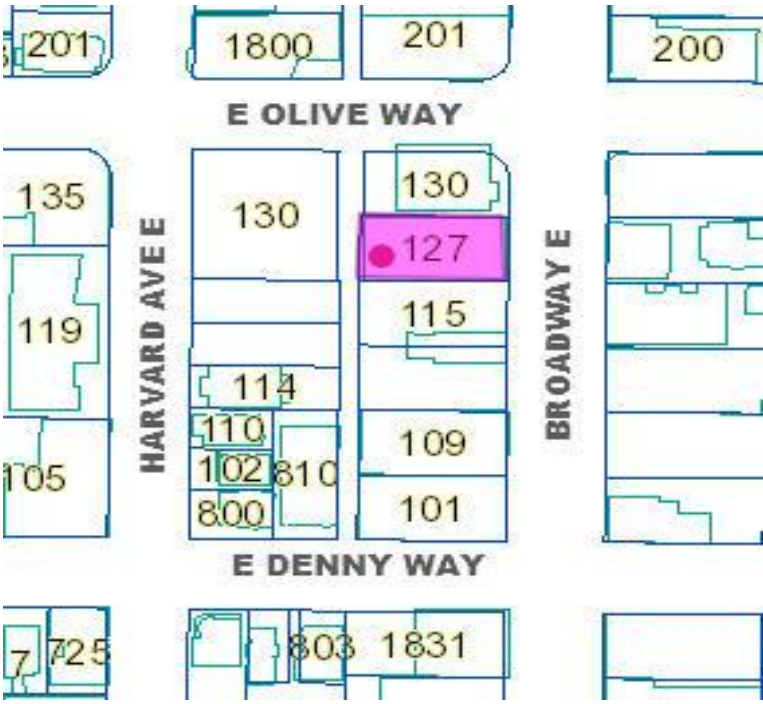
**SEPA DETERMINATION**: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[ X] DNS with conditions

[ ] DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction.

Site:

| | |
|---|---|
| Site Zone: | NC3P-40<br>Capital Hill Urban Village Overlay<br>Capital Hill Station Area Overlay<br>Pedestrian District 1 |
| Nearby Zones: | (North) NC3P-40<br>(South) NC3P-40<br>(West) NC3P-40<br>(East) MR-RC |
| Lot Area: | 7,080 square feet, rectangle |




Current Development

A three story masonry building with commercial uses occupies the entire lot.

Existing vehicular access is from the adjacent through-block alley. Existing pedestrian access is from the adjacent Broadway sidewalk.

The site is essentially flat. There are no ECA's on the site.

Surrounding Development and Neighborhood Character

A four story apartment with ground level commercial is immediately adjacent to the north; a surface parking lot for the well-known Dick's restaurant is adjacent to the south; a six story apartment is to the west across the alley; the future light rail station is under construction across Broadway to the east.

Broadway East is the vital transit and pedestrian spine through the mixed use heart of the Capital Hill neighborhood. Adjacent structures range from 2-6 stories and contain apartments and commercial on all sides of the lot, with a consistent commercial ground floor along Broadway.

PROJECT DESCRIPTION:

The proposal is to add three stories to an existing three-story masonry building and convert the existing commercial use to 24 residential units of approximately 23,000 sf, with approximately 3,500 sq. ft. of ground floor retail. The existing building is not a designated landmark, but the shell is to remain and be selectively restored. Although no parking for residential uses is required at this Station Area Overlay location (SMC 23.54.015.A – Table B), parking for bikes and 11 vehicles is voluntarily proposed below grade with access from the alley, and one accessible vehicle space is provided at grade.

## I. ANALYSIS – DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: December 12, 2012
DESIGN PRESENTATION

The EDG booklet includes materials presented at the meeting, and is available online by entering the project number (3013985) at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The EDG booklet is also available to view in the 3013985 file, by contacting the Public Resource Center at DPD:

Mailing Address: Public Resource Center
700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

PUBLIC COMMENT

No members of the public attended this Early Design Review meeting, and no comments, issues or concerns were raised.

FINAL RECOMMENDATION MEETING: June 19, 2013
DESIGN PRESENTATION

The Recommendation booklet included materials presented at the meeting, and is available online by entering the project number (3013985) at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The booklet is also available to view in the 3013985 file, by contacting the Public Resource Center at DPD:

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PUBLIC COMMENT

There were no public comments offered at the meeting.

## PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the East Design Review Board members (the Board) provided the following siting and design guidance. The Board identified the following **Citywide Design Guidelines** and ***Capital Hill specific guidelines*** (*in italics, as applicable*) of highest priority for this project.

The **priority** guidelines are summarized below, while all guidelines are still applicable. For the full text of all guidelines please visit the Design Review website.

### Site Planning

**A-1** **Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

**At the Early Design Guidance Meeting**, the Board supported how Option D retains the character building shell, reinforces the street at this emerging transit node, and has generous step backs in the new construction above, which will maximize daylight to Broadway and strongly differentiate the new from existing massing.

**At the Final Recommendation Meeting, the Board applauded the retention of a character building along Broadway, and the massing setbacks of the new forms above.**

**A-2** **Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

***Capitol Hill-specific supplemental guidance:***

- *New development in commercial zones should be sensitive to neighboring residential zones. Examples include lots on Broadway that extend to streets with residential character, such as Nagle Place or 10th or Harvard Avenues East. While a design with a commercial character is appropriate along Broadway, compatibility with residential character should be emphasized along the other streets.*

**At the Early Design Guidance Meeting,** the Board discussed how the retained street wall and proposed ground floor commercial – improved from the existing condition - is an appropriate response along Broadway at this transit node.

**At the Final Recommendation Meeting, the Board supported the strongly commercial ground floor along Broadway, the modest but identifiable residential entry there, and the clean, almost-commercial expression of the residential form above.**

**A-4** **Human Activity**. New development should be sited and designed to encourage human activity on the street.

***Capitol Hill-specific supplemental guidance:***

- *Provide for sidewalk retail opportunities and connections by allowing for the opening of the storefront to the street and displaying goods to the pedestrian.*
- *Provide for outdoor eating and drinking opportunities on the sidewalk by allowing for the opening the restaurant or café windows to the sidewalk and installing outdoor seating while maintaining pedestrian flow.*
- *Install clear glass windows along the sidewalk to provide visual access into the retail or dining activities that occur inside. Do not block views into the interior spaces with the backs of shelving units or with posters.*

**At the Early Design Guidance Meeting,** the Board strongly supported the highly transparent and tall ( 12 ft + clear) commercial storefront along the entire Broadway frontage. The Board emphasized this storefront should be highly permeable at this strategic location opposite a light rail transit station, and possibly integrate roll-up or folding glass doors. It should be carefully detailed to provide human scale, yet not be overly fussy or simulate historical storefronts; it should contrast from the existing brick shell, and thus be a more pure and simple expression.

The Board supported the slight recess (2-3 ft shown) to express this layer as distinct from the existing brick wall, and the new ground floor level should flush out with the sidewalk. The Board also supported the simple, thin metal columns and beam shown in option D, but cautioned the multiple mullions shown in the storefront and new residential windows above appeared overly busy.

**At the Final Recommendation Meeting, the Board discussed the storefront treatment at great length, including a new design not seen at EDG (Option B in the Recommendation booklet), which proposed brick columns (about 16' wide) rather than metal ones, supporting a horizontal metal channel , brick sills along the sidewalk, and a wood window and door system infilling between the columns. The**

**Board agreed the brick columns reinforced the identity of the brick shell, but did not support the metal channel across the entire façade, nor the wood infill and brick sills.**

**The Board advised the design continue the slender brick columns flush up to the existing wall above, and treat all the infill as a contrasting metal and glass layer, preferably black or dark colored, recessed behind the thick brick 'shell'. They also emphasized the storefront should be highly transparent, highly permeable and have wide, operable portions that open to grade, without sills (guidelines A-4, B-1-Broadway specific, and C-4).**

**A-6** **Transition Between Residence and Street.** For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

**At the Early Design Guidance Meeting,** the Board discussed the possibility of a residential entry to the alley, which could activate the alley and provide alternate access routes for building residents. However the Board agrees any entry along the alley must be well designed and lit for safety and security, and to prevent vagrancy.

**At the Final Recommendation Meeting, the Board acknowledged there is no residential entry proposed at the alley. However, there is an exit stair and parking man-door that might be used by residents, and they have adequate safety sightlines and lighting as shown in the submitted lighting plans.**

**A-7** **Residential Open Space.** Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

***Capitol Hill-specific supplemental guidance:***

- *Incorporate quasi-public open space with new residential development or redevelopment, with special focus on corner landscape treatments and courtyard entries.*
- *Create substantial courtyard-style open space that is visually accessible to the public view.*
- *Set back development where appropriate to preserve a view corridor.*
- *Set back upper floors to provide solar access to the sidewalk and/or neighboring properties.*
- *Mature street trees have a high value to the neighborhood and departures from development standards that an arborist determines would impair the health of a mature tree are discouraged.*
- *Use landscape materials that are sustainable, requiring minimal irrigation or fertilizer.*
- *Use pourous paving materials to minimize stormwater run-off.*

**At the Early Design Guidance Meeting**, the Board supported the stepbacks of Option D, which afford more daylight to the streets, and provide upper level courts for planting opportunities. Although there are no ground level open spaces possible with the retained building, the Board encouraged some trees with tall canopies at these courts, which would be visible to the streets and alley below (see guideline bullet # 2 above).

**At the Final Recommendation Meeting, the Board restated support for the specifically dimensioned stepbacks that create patios and the projecting balconies for the residents, as well as providing shadow play and scale for the facades. They also supported the lush and amenity-rich roof deck design, as providing critical resident open space.**

## B. Height, Bulk and Scale

**B-1** **Height, Bulk, and Scale Compatibility.** Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

***Capitol Hill-specific supplemental guidance:***

- *Break up building mass by incorporating different façade treatments to give the impression of multiple, small-scale buildings, in keeping with the established development pattern.*
- *Consider existing views to downtown Seattle, the Space Needle, Elliott Bay and the Olympic Mountains, and incorporate site and building design features that may help to preserve those views from public rights-of-way.*
- *Design new buildings to maximize the amount of sunshine on adjacent sidewalks throughout the year.*

***Broadway-specific supplemental guidance:***

- *Help maintain and enhance the character of Broadway by designing new buildings to reflect the scale of existing buildings.*
- *Masonry and terra cotta are preferred building materials, although other materials may be used in ways that are compatible with these more traditional materials. The Broadway Market is an example of a development that blends well with its surroundings and includes a mixture of materials, including masonry.*
- *The pedestrian orientation of Broadway should be strengthened by designing to accommodate the presence or appearance of small store fronts that meet the sidewalk and where possible provide for an ample sidewalk.*

**At the Early Design Guidance Meeting,** the Board supported the massing and stepbacks of option D, because those stepbacks clearly differentiate old from new, provide outdoor spaces for residents, and maximize daylight to the street sidewalks and alley**.**

**At the Final Recommendation Meeting, the Board reiterated the massing and stepbacks create desired scale variation and allow daylight to the sidewalk.**

## C. Architectural Elements and Materials

**C-2** **Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

***Capitol Hill-specific supplemental guidance:***

- *Incorporate signage that is consistent with the existing or intended character of the building and the neighborhood.*
- *Solid canopies or fabric awnings over the sidewalk are preferred.*
- *Avoid using vinyl awnings that also serve as big, illuminated signs.*
- *Use materials and design that is compatible with the structures in the vicinity if those represent the desired neighborhood character.*

**At the Early Design Guidance Meeting,** the Board discussed how to accentuate the concept of contrasting old from new with materials (C-4) and keeping the expression of new facades very clean and pure, to honor the existing textured, brick shell. The Board suggested the weather protection along Broadway be retractable awnings that blend into the storefront layer, and reinforce a clean layer behind the existing brick, or a very light and transparent permanent canopy.

**At the Final Recommendation Meeting, the Board restated the strength of the concept is to clearly and consistently express the two predominant forms: the existing, earthy brick 'shell', and the smooth, metallic new interventions. The Board supported a consistent use of black metal for the bracing of the brick mass walls and other locations, and a clear expression of new metal and glass elements recessed behind the brick walls rather than flush to them, at the brick parapet and other brick locations.**

**The Board supported the metal and clear glass railings behind the east arches, and the new vertical slots in the brick as shown; the 36-40" width of the brick wall returns should not be reduced, so the brick mass appears substantial at these highly visible corners. Brick should not be used on any other visible 'new' elements, such as patio screen walls or any element above the brick shell.**

**C-4** **<u>Exterior Finish Materials</u>.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

***Capitol Hill-specific supplemental guidance:***

- *Use wood shingles or board and batten siding on residential structures.*
- *Avoid wood or metal siding materials on commercial structures.*
- *Provide operable windows, especially on storefronts.*
- *Use materials that are consistent with the existing or intended neighborhood character, including brick, cast stone, architectural stone, terracotta details, and concrete that incorporates texture and color.*
- *Consider each building as a high-quality, long-term addition to the neighborhood; exterior design and materials should exhibit permanence and quality appropriate to the Capitol Hill neighborhood.*
- *The use of applied foam ornamentation and EIFS (Exterior Insulation & Finish System) is discouraged, especially on ground level locations.*

**At the Early Design Guidance Meeting,** the Board supported the layered offsets in Option D, and the clear material distinction between existing brick walls, and the new cement panel, metal and glass floors above. They did not mention wood cladding for the new upper floors, and discouraged putting glass in the existing east façade brick openings, since that layer is effectively a screen.

**At the Final Recommendation Meeting, the Board supported all the materials and color placement proposed and shown on the drawings and materials board, except for the 'daisy yellow' shown on the two vertical stair elements. The Board unanimously agreed the color of these forms should contrast from the predominant grey/black tones around them, but not be so distracting, and should change to a white or off white.**

**D. Pedestrian Environment**

**D-1** **<u>Pedestrian Open Spaces & Entrances</u>.** Convenient and attractive access to the buildings entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather.

**At the Final Recommendation Meeting, the Board stated that permanent canopies or durable retractable awnings should be included, cohesive to the entire façade not individual tenants, and be integrated into the architectural permit (not after-market). They also advised them to not be overly heavy or obscure the tall storefront glass, so as to maximize daylight to the sidewalk on an east façade. (Also see guideline C-2, Capital Hill specific, bullet 2)**

**D-2** **Blank Walls.** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.

**At the Early Design Guidance Meeting,** the Board discussed the large and mostly blank south party wall, which may stay visible for many years. They suggested exploration of more interlock between the old and new layers on the south elevation; and possibly the articulation of the slots flanking the south stair on floors 4-7, or other design characteristics, can carry down into the upper portion of the brick wall. The Board wishes to see these explorations at the next meeting. Regarding the existing windows in the south brick wall, the Board supports their retention as scale providers if code issues can be resolved, but if they must be filled, a contrasting material is advised**.**

**At the Final Recommendation Meeting, the Board supported the proposed slots and cuts into the existing south brick wall, to achieve an effective interlock at the middle of the wall. They explicitly supported the expression of the newer forms as a layer recessed behind the existing brick at all locations.**

**D-6** **Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

***Capitol Hill-specific supplemental guidance:***

- *Consolidate and screen dumpsters to preserve and enhance the pedestrian environment.*

*Broadway-specific supplemental guidance:*

- *For new development along Broadway that extends to streets with residential character—such as Nagle Place or 10th or Harvard Avenues East—any vehicle access, loading or service activities should be screened and designed with features appropriate for a residential context.*

**At the Early Design Guidance Meeting,** the Board encouraged all services to be off the alley and behind doors, as shown in Option D, to prevent impacts on the adjacent residential use. Any recessed doors there should be carefully lit for security and designed to prevent vagrancy. A large scale ground floor plan is needed in future.

**At the Final Recommendation Meeting, the Board reviewed the lighting plan and fixtures submitted and supported the locations and design. The alley composition and screening doors proposed were supported including the materials, colors and vented door sections.**

**D-7** **Personal Safety and Security.** Project design should consider opportunities for enhancing personal safety and security in the environment under review.

***Capitol Hill-specific supplemental guidance:***

- *Consider: pedestrian-scale lighting, but prevent light spillover onto adjacent properties; architectural lighting to complement the architecture of the structure; transparent windows allowing views into and out of the structure—thus incorporating the "eyes on the street" design approach'*
- *Provide a clear distinction between pedestrian traffic areas and commercial traffic areas through the use of different paving materials or colors, landscaping, etc.*

**At the Early Design Guidance Meeting,** the Board agreed the transparent storefronts proposed will provide this along Broadway, but they wish to see full details of the storefront design, the alley elevations, and the residential elevation above, with a lighting plan to ensure lighting does not spill over onto the residential property across the alley.

**At the Final Recommendation Meeting, the Board reviewed all the requested exhibits, and supported the lighting plan and north, west and south elevations. See comments under guideline A-4 for the east elevation and storefront.**

**D-8** **Treatment of Alleys.** The design of alley entrances should enhance the pedestrian street front.

**At the Early Design Guidance Meeting,** the Board discussed how a residential entry could activate the alley, and for the same benefit they encouraged integration of an alley-facing commercial space, such as bike repair, or a similar use that is suited to an alley "address". Also see A-6, D-6 and D-7 for alley comments.

**At the Final Recommendation Meeting, the Board acknowledged that no alley facing commercial use is proposed, and yet the alley has a successful composition and pedestrian-friendly treatment.**

**D-9** **Commercial Signage.** Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.

**At the Early Design Guidance Meeting,** the Board emphasized that signage should be integrated with the clean storefront described in A-4, and not detract from the character shell.

**At the Final Recommendation Meeting, the Board endorsed the submitted plan to refurbish the existing 'Hollywood Video/lofts' blade sign. No detailed tenant signage was submitted or suggested, but the applicants stated objective to use the blade sign as the dominant building identifier was not challenged, and will be taken as the intent going forward.**

**D-10** **Commercial Lighting**. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

**At the Early Design Guidance Meeting**, the Board discussed how lighting must be vibrant but integrated along Broadway, add interest along the south wall, provide ground level security along the alley, and respect residential neighbors to the west. A lighting plan is required at the next meeting.

**At the Final Recommendation Meeting, the Board endorsed the submitted lighting plan, including the 6 downlight soffit fixtures indicated along Broadway.**

**D-11** **Commercial Transparency.** Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

**At the Early Design Guidance Meeting**, the Board supported the fully transparent ground level presented in Option D.

**At the Final Recommendation Meeting, the Board restated the importance of a highly transparent ground floor, their preference for the higher transparency shown in the storefront Option A, and guided the design toward an equivalent glass percentage at the ground floor façade.**

**D-12** **Residential Entries and Transitions**. For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.

**At the Early Design Guidance Meeting,** the Board agreed the residential entry width on Broadway should be modest at this valuable commercial node, and it should not be further recessed from the storefront plane, but the elevation and door design should articulate the residential purpose, with a distinct canopy, a vertical blade, and/or other distinguishing design features. This should be fully detailed at the next meeting.

**At the Final Recommendation Meeting, the Board supported the residential lobby and street design proposed, as meeting the guideline and code requirement for a distinctly identifiable residential 'address'. The elements shown that should remain include the metal-clad lobby wall/blade continuing through the storefront plane; the large illuminated address numbers; the glass door; a well lit door recess and lobby beyond.**

## E. Landscaping

**E-2** **Landscaping to Enhance the Building and/or Site.** Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

**At the Early Design Guidance Meeting**, the Board supported lush courtyards and roof deck to provide resident amenity, and encouraged trees or greenery be included in the stepback layers which would be visible from the ground below.

**At the Final Recommendation Meeting, the Board restated support for greenery on the upper patios that is visible from the alley and sidewalks. Planters are indicated on submitted drawings but not explicitly described or species noted.**

## DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure is based upon the departure's potential to **better meet** these design guideline priorities and achieve a better overall design than could be achieved without the departure. At the time of the Final Recommendation meeting, the following departure was requested:

1. **Driveway Ramp Slope (SMC 23.54.030.D.3):** The code requires a maximum ramp slope of 15%. The applicants propose a 17.9% slope, with flared walls at the top of the ramp which result in an 18 ft wide opening at the alley.

   **The Board voted 4-0 in recommendation of this departure,** as long as the ramp transitions are per code, and the flared walls shown at the top of ramp remain. The Board also emphasized typical DPD and SDOT consideration of safety measures at the alley, such as mirrors, warning lights, etc.

## BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated June 19, 2013, and the materials shown and verbally described by the applicant at the June 19, 2013 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four East Design Review Board members recommended APPROVAL of the subject design and departures, with the following conditions:

1) To continue the slender brick columns flush up to the existing Broadway wall above, and treat all the infill as a contrasting metal and glass layer, preferably black or dark colored, recessed behind the thick brick 'shell'. They also emphasized the storefront should be highly transparent, highly permeable and have wide, operable portions that open to grade, without sills. (guidelines A-4, B-1- Broadway specific, and C-4)

2) To incorporate permanent canopies or durable retractable awnings along the Broadway facade, cohesive to the entire façade not individual tenants, and be integrated into the architectural permit (not after-market). (D-1)

3) To change the color of the 'distracting' yellow forms to white or off white, to contrast from the predominant grey/black tones around them. (C-4)

4) To maintain the black metal and clear glass railings behind the east arches, and the new vertical slots in the brick as shown; the 36-40" width of the brick wall returns should not be reduced, so the brick mass appears substantial at these highly visible corners. Brick should not be used on any other visible 'new' elements, such as patio screen walls or any element above the brick shell. (C-2, C-4)

Response to Recommended Design Review Conditions:

1) The applicant incorporated the façade revisions and details, as shown in the MUP plan set. The proposal meets recommended condition #1.

2) The applicant added taut, permanent frames and awnings, as shown in the MUP plan set. The proposal meets recommended condition #2.

3) The applicant modified the panel color to an off-white, as shown in the MUP plan set. The proposal meets recommended condition #3.

4) The applicant clarified and specified the brick and railing elements, as shown in the MUP plan set. The proposal meets recommended condition #4.

**DECISION – DESIGN REVIEW**

The proposed design is **CONDITIONALLY GRANTED** subject to the conditions listed below.

## II. ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated February 05, 2013. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

PUBLIC COMMENT:

The public comment period ended on May 08, 2013. No SEPA comments were received.

A. SHORT-TERM IMPACTS

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes construction-related noise, air quality, grading, construction impacts, traffic and parking impacts as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities, in particular the residences existing across the alley to the west. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. If the applicant intends to work outside of the limits of non-holiday weekdays between 7am and 6pm, the applicant will submit a Construction Noise Mitigation Plan. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

1) Non-holiday weekdays between 7:00 A.M. and 6:00 P.M.
2) Non-holiday weekdays between 6:00 P.M. and 8:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
3) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

4) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

Air Quality

Construction for this project is expected to add temporarily particulates to the air that will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings. This must be included in the Construction Traffic Management Plan, required by condition.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. This will assure proper handling and disposal of asbestos.

Grading

Excavation to construct the structure will be necessary. The maximum depth of the excavation is approximately 11 feet and will consist of an estimated 800 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Traffic and Parking

Duration of construction of the apartment building may last approximately 12 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M). Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction would likely reduce the supply of parking in the vicinity. Due to the location of the project, this temporary demand on the on-street parking in

the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, the applicant will need to provide a Construction Worker Parking Plan to reduce on-street parking. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 800 cubic yards of soil are expected to be excavated from the project site. The soil removed for the structure will not be reused on the site and will need to be disposed off-site. Excavation and construction materials will require numerous truck trips, in a congested location with sizable construction occurring across the street. Considering the volume of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours; large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM. This must be included in the Construction Traffic Management Plan, required by condition.

Truck access to and from the site shall be documented in a Construction Traffic Management Plan, to be submitted to DPD and SDOT prior to the issuance of demolition, grading or construction permits. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access adjacent to the project site. Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

B. LONG –TERM IMPACTS

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; modification to a potential historic resource; possible increased traffic in the area.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, green house gas emissions, historic preservation, traffic and transportation, and parking impacts warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Historic Resources

The existing structure on the site is proposed to be voluntarily retained and selectively restored. On December 11, 2012, the City of Seattle Landmarks Preservation Board issued a letter (LPB 587/12) stating the Board voted to deny nomination of the structure, thus the modification of the structure is not a significant impact.

Transportation

A traffic impact and transportation analysis dated May 03, 2013, was prepared for the project by Heffron Transportation Inc. The analysis reports the proposed uses will generate 100 daily trips; 6 AM peak hour trips, and 10 PM peak-hour trips. Because the use is changing from about 21,000 sf of existing office and commercial uses, to 3,700 sf of commercial and less intense residential uses, the proposal is expected to result in a net DECREASE in daily, AM peak and PM peak hour trips. The traffic the proposed uses contribute to the roadway system at peak times and the distribution of the traffic from the site does not exceed acceptable volume/capacity ratios. No adverse transportation impacts are anticipated from the development of the project.

Parking

The project site is in a dense, walkable urban environment; the moderately high levels of transit service will increase with the 2016 opening of the Capitol Hill light rail station across Broadway from the site. Parking demand estimates of the existing and the proposed uses were adjusted to reflect the various opportunities for non-auto travel to and from the site. The Institute of Transportation Engineers' Parking Generation manual (4$^{th}$ edition) provides estimates of peak parking demand for various land uses. Specific auto-ownership information for the Census tract within which the project site is located was used to estimate residential parking demand.

The residential component of the proposed project is estimated to generate a peak parking demand of roughly 17 vehicles; the retail component of the project likely will generate a peak demand of about two vehicles. If the peaks overlap, the project could create a maximum parking demand for about 19 vehicles. With 11 of these vehicles parking on-site, the spillover parking demand would be as much as eight vehicles. The majority of this peak demand would occur during overnight hours.

The existing uses also generate parking demand. The office use likely generates a demand of roughly 15-20 vehicles, and the retail use is expected to generate a parking demand of about five vehicles, creating an existing parking demand for 20-25 spaces. As the current structure has no on-site parking, this demand is met through a combination of on-street spaces and public off-street parking lots.

The overall parking impact of this project would be positive. During the day, the project is likely to accommodate all or almost all of its parking demands on-site, generating notably less spillover demand than the existing building. In the evening and during overnight hours, the project is expected to generate a spillover demand of up to eight vehicles. This spillover would be met through nearby on-street spaces and public off-street parking lots.

## DECISION - STATE ENVIRONMENTAL POLICY ACT (SEPA)

**The proposed action is APPROVED WITH CONDITIONS.**

## SEPA - CONDITIONS OF APPROVAL

Prior to Issuance of a Demolition, Grading, or Building Permit

1. If the applicant intends to work outside of the limits of the hours of construction described in condition #4, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a demolition, grading, or building permit, whichever is issued first. The Plan shall include the specific mitigation listed in the Addendum, and may include additional proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short -term transportation impacts that result from the project.

2. The applicant shall provide DPD with a copy of a Construction Traffic Management Plan, including Construction Haul Routes, both aspects approved by Seattle Department of Transportation, plus queuing limitations and time limits on large (greater than two-axle) trucks.

3. An approved Construction Worker Parking Plan is required. This shall be provided to the Land Use Planner for review and approval (Garry Papers, (206) 684-0916, garry.papers@seattle.gov).

During Construction

4. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #1.***)***

## DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Certificate of Occupancy

5. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Garry Papers, (206) 684-0916, garry.papers@seattle.gov).

6. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Garry Papers, (206) 684-0916, garry.papers@seattle.gov).

For the Life of the Project

7. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Garry Papers, (206) 684-0916, garry.papers@seattle.gov).

Signature: (signature on file) Date: October 31, 2013
Garry Papers, M.Arch, NCARB
Senior Land Use Planner
Department of Planning and Development

GP:drm

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